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Federal Communications Commission
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
ALCATEL NETWORK SYSTEMS, INC.)
)
Petition to Amend Parts 2,)
21, 25 and 94 of the)
Commission's Rules to)
Accommodate Common Carrier)
and Private Op-Fixed Microwave)
Systems in Bands Above 3 GHz)

RM-8004

COMMENTS OF UNITED VIDEO, INC. IN SUPPORT OF
HUGHES COMMUNICATIONS GALAXY, INC.'S OPPOSITION TO
RULEMAKING PROPOSAL OF ALCATEL NETWORK SYSTEM, INC.

United Video, Inc., by its attorneys hereby submits these comments in support of the opposition filed by Hughes Communications Galaxy, Inc. to certain of the proposals contained in the Petition for Rulemaking filed May 22, 1992 by Alcatel Network Systems, Inc. ("Alcatel"). United Video is vitally interested in this proceeding and strongly opposes the proposal by Alcatel which would significantly reduce the frequency spectrum currently available to C-band satellite operators and users to the serious detriment of the public.

United Video is a major user of satellite capacity and also utilizes terrestrial microwave facilities on a limited basis. These satellite facilities are used to provide services to cable television, home satellite TV, radio networks, data communications networks and a variety of other users throughout the

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United States.^{1/} Numerous other companies provide important services to the public, relying entirely on satellite distribution. Moreover, the use of C-band satellite transmission continues to grow. United Video began transmitting satellite signals with a single transponder in 1978 and today, less than fourteen years later, the company is using 9 C-band transponders on a full-time basis and numerous other C-band facilities on an occasional or part-time basis. United Video has options to acquire additional transponder facilities to meet its growing needs for service to the public. Within the next year, United Video is planning to utilize additional C-band facilities for the introduction of new services through a joint venture with Sony Corporation.

United Video recognizes and supports the Commission's proposal to allocate spectrum space for new communications technology. United Video also supports the Commission's effort to allocate frequency spectrum to accommodate those users who are

^{1/} United Video, Inc. serves more than 40 million cable television subscribers transmitting superstation WGN from Chicago as well as WPIX, New York; KTLA, Los Angeles; and KTVT, Dallas/Ft. Worth. The company also transmits audio services such as WFMT, Chicago and KLON, Long Beach. Prevue Networks, Inc., an affiliated company, provides via satellite customized program promotion and listing services for cable television systems serving more than 30 million subscribers. Other United Video affiliated companies deliver audio and data networks and utilize additional C-band and Ku-band transponders for various purposes. Superstar Connection, another affiliated company, provides many of these same transmission services to the home satellite TV market.

displaced from the 2 GHz bands to accommodate these new technologies. However, the spectrum reallocation should be accomplished in an orderly manner as the Commission has proposed in Docket No. 92-9, considering fully the public interest implications of that decision.^{2/}

The Alcatel proposal, which Alcatel itself admits would eliminate effective use of 4 of the 24 transponders on C-band satellites, does not seriously address the detrimental impact of its proposal on the public. The Alcatel plan includes no procedures for the Commission to undertake an inquiry to determine if the public interest would be served by permitting one group of private users to take away a major frequency segment that is currently in use. Serious policy questions are raised by Alcatel's proposal to permit private users into the common carrier bands, which have traditionally been reserved for public use.

Alcatel's proposal to restructure the 4 GHz band will also stifle growth in the home satellite dish market by reducing the 10 MHz offset or guardbands between terrestrial channels. Alcatel's proposal would create an operating environment in which increased levels of interference will make it more difficult to achieve adequate reception at receive-only consumer dishes, particularly in frequency-congested areas. The result of increased

^{2/} Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies, 7 FCC 2d 1542 (1992).

interference with TV reception would wholly undermine existing service in this market as well as its potential.

Furthermore, United Video and many other satellite carriers and users have already made very substantial investments in C-band satellite facilities. For example, cable television operators and programmers, as well as many other users, make extensive use of C-band satellites and have invested hundreds of millions of dollars in satellite operations and earth station facilities at cable system headends. If the range of available frequencies is now arbitrarily reduced as proposed by Alcatel, the utilization and value of the earth station facilities will be correspondingly reduced. Services delivered by cable television companies to the majority of households in the United States will similarly be reduced. The satellite home dish market presents another example of the adverse impact of the Alcatel plan. If satellite capacity is reduced, the diversity of programming transmission to the home will be negatively affected. It is unfair and unnecessary to arbitrarily decrease the value of the hundreds of millions of dollars already invested in C-band satellite facilities by cable operators, programmers, individuals with home satellite dishes and many other users.


C-band satellite technology and service has developed rapidly over the last 20 years and has made the most efficient use of frequency spectrum. Indeed, the Commission imposed

regulations requiring 2-degree satellite spacing, antenna performance requirements and many other technical standards that would ensure the efficient utilization of this band. These satellite services have spawned a revolution in communications that has directly affected virtually every household in the United States. To now permit private users to come in and limit these services will not serve the public interest. This is particularly true when the Commission has an ongoing proceeding in Docket No. 92-9 to determine how to accommodate the needs of displaced users in the 2 GHz band. Instead of prematurely filing a rulemaking petition to press its own plan for pushing private microwave systems into already heavily utilized 4 GHz band, Alcatel should await the results of the Commission's decision in that proceeding.

In view of the considerations discussed above and the factors previously addressed in other filings in this proceeding, Alcatel's Petition for Rulemaking should be denied.

Respectfully submitted,

UNITED VIDEO, INC.

By 
Robert L. James
Its Attorney

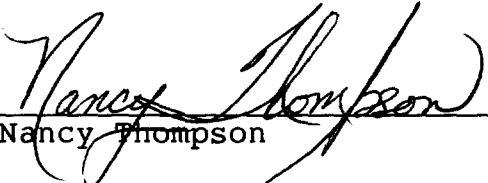
COLE, RAYWID & BRAVERMAN
Suite 200
1919 Pennsylvania Avenue, NW
Washington, DC 20006
202/659-9750

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CERTIFICATE OF SERVICE

I, Nancy Thompson, hereby certify that a copy of the foregoing Comments of United Video have been mailed by first class United States mail, postage prepaid, on the 17th day of July, 1992 to the following:

Robert J. Miller
Gardere & Wynne, L.L.P.
Suite 3000
1601 Elm Street
Dallas, TX 75201
Counsel for Alcatel Network Systems, Inc.


Nancy Thompson